

# **EXHIBIT B**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

SILCOTEK CORPORATION,

Plaintiff,

v.

WATERS CORPORATION,

Defendant.

Civil Action No. 23-281-JPM

**[PROPOSED] FINAL JUDGMENT**

WHEREAS, on November 15, 2024, the Court issued a Claim Construction Order (Doc. 93) construing certain claims of U.S. Patent No. 11,131,020 (the “’020 Patent”) and U.S. Patent No. 10,881,986 (the “’986 Patent”) (collectively, the “Asserted Patents”);

WHEREAS, on March \_\_, 2025, Plaintiff SilcoTek Corporation (“Plaintiff”) and Defendant Waters Corporation (“Defendant”) (and collectively, the “Parties”) entered a Joint Stipulation of Non-Infringement (D.I. \_\_) in which, in light of the Court’s Claim Construction Order and reserving all rights to appeal, the parties stipulated to the entry of a final, appealable judgment of non-infringement of the ’020 Patent against Plaintiff and in favor of Defendant;

WHEREAS, on \_\_\_\_\_, 2025, the Court issued an Order Granting Plaintiff’s Motion to Dismiss (D.I. \_\_) dismissing without prejudice Plaintiff’s claims of infringement of the ’986 Patent by Defendant, and Plaintiff has agreed that it will not refile a suit based on the ’986 patent alone; rather, if the “carboxysilane” construction is affirmed as to the ’020 patent, a refiling of the ’986 patent by Plaintiff would only occur as part of a new suit with other patents that newly issued after the filing of the Complaint in this case;

WHEREAS, the parties' Joint Stipulation of Non-Infringement (D.I. \_\_) and the Court's Order Granting Motion to Dismiss resolved all affirmative claims asserted by Plaintiff in this action;

WHEREAS, all of Defendant's unadjudicated defenses with respect to all Asserted Patents are dismissed without prejudice, subject to Defendant's right to reassert such defenses in the future, including in the event of a reversal of this judgment and remand to this Court for further proceedings following the expected appeal of the Court's Claim Construction Order (D.I. 93); and

WHEREAS, Defendant shall defer any request for assessment of costs, including under Federal Rule of Civil Procedure 54(d) and Local Rules 54.1, or a motion seeking attorneys' fees, including under Federal Rule of Civil Procedure 54(d) and Local Rule 54.3, related to the litigation until any appeal from this Final Judgment has been exhausted;

**IT IS HEREBY ORDERED AND ADJUDGED**, that final judgment hereby is entered in favor of Defendant Waters Corporation against Plaintiff SilcoTek Corporation.

**IT IS FURTHER ORDERED** that the deadlines for filing any request for taxation of costs under Federal Rule of Civil Procedure 54(d) and Local Rules 54.1, or any motions for attorneys' fees pursuant to Federal Rule of Civil Procedure 54(d)(2)(B)(i), shall be extended until 14 days after a mandate issues from the Federal Circuit from the expected appeal of this Final Judgment.

This is a final judgment and may be appealed.

**SO ORDERED** this \_\_\_\_ day of \_\_\_\_\_, 2025.

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United States District Judge